

**Supreme Court of Pennsylvania****Court of Common Pleas  
Civil Cover Sheet**

Delaware

County

*For Prothonotary Use Only:*

Docket No:

*FILED STAMP*

*The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.*

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A**Commencement of Action:**

- Complaint       Writ of Summons  
 Transfer from Another Jurisdiction

- Petition  
 Declaration of Taking

Lead Plaintiff's Name:

Anthony Pierre

Lead Defendant's Name:

Delaware County d/b/a George W. Hill Correctional Facil

Are money damages requested?  Yes     NoDollar Amount Requested:  within arbitration limits  
 (check one)       outside arbitration limitsIs this a *Class Action Suit?*     Yes     NoIs this an *MDJ Appeal?*     Yes     No

Name of Plaintiff/Appellant's Attorney: Gary Schafkopf Esq / David A. Berlin Esq / Matthew B. Weisberg Esq

 Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

**Nature of the Case:** Place an "X" to the left of the **ONE** case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

**TORT (do not include Mass Tort)**

- Intentional  
 Malicious Prosecution  
 Motor Vehicle  
 Nuisance  
 Premises Liability  
 Product Liability (*does not include mass tort*)  
 Slander/Libel/ Defamation  
 Other:  
 Civil Rights Violation

**CONTRACT (do not include Judgments)**

- Buyer Plaintiff  
 Debt Collection: Credit Card  
 Debt Collection: Other

- Employment Dispute:  
 Discrimination  
 Employment Dispute: Other

- Other:

**CIVIL APPEALS**

- Administrative Agencies  
 Board of Assessment  
 Board of Elections  
 Dept. of Transportation  
 Statutory Appeal: Other

- Zoning Board  
 Other:

**MASS TORT**

- Asbestos  
 Tobacco  
 Toxic Tort - DES  
 Toxic Tort - Implant  
 Toxic Waste  
 Other:

**REAL PROPERTY**

- Ejectment  
 Eminent Domain/Condemnation  
 Ground Rent  
 Landlord/Tenant Dispute  
 Mortgage Foreclosure: Residential  
 Mortgage Foreclosure: Commercial  
 Partition  
 Quiet Title  
 Other:

**MISCELLANEOUS**

- Common Law/Statutory Arbitration  
 Declaratory Judgment  
 Mandamus  
 Non-Domestic Relations  
 Restraining Order  
 Quo Warranto  
 Replevin  
 Other:

**PROFESSIONAL LIABILITY**

- Dental  
 Legal  
 Medical  
 Other Professional:

WEISBERG LAW  
David A. Berlin, Esquire  
Attorney Id. No. 314400  
Matthew B. Weisberg, Attorney ID No. 85570  
7 South Morton Ave.  
Morton, PA 19070  
610-690-0801  
Fax: 610-690-0880  
Attorney for Plaintiff

SCHAFKOPF LAW LLC  
Gary Schafkopf, Attorney ID No. 83362  
11 Bala Ave  
Bala Cynwyd, PA 19004  
610-664-5200 Ext 104  
Fax: 888-283-1334  
Attorney for Plaintiff

**ANTHONY PIERRE**  
Inmate No. 19009149  
500 Cheyney Rd  
Thornton, PA 19373

Plaintiff

v.

**DELAWARE COUNTY D/B/A**  
**GEORGE W. HILL**  
**CORRECTIONAL FACILITY**  
500 Cheyney Rd  
Thornton, PA 19373

and

**LAURA K. WILLIAMS**  
Individually and in her official capacity as  
Warden  
500 Cheyney Rd  
Thornton, PA 19373

and

**DELE FALY**  
Individually and in his official capacity as  
Deputy Warden of Programs and Support  
500 Cheyney Rd  
Thornton, PA 19373

and

**LISA MASTRODDI**  
Individually and in her official capacity as  
Deputy Warden of Operations and  
Administration

: DELAWARE COUNTY COURT OF  
: COMMON PLEAS  
:  
:  
:  
No.

: JURY TRIAL OF TWELVE (12)  
: JURORS DEMANDED

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500 Cheyney Rd  
Thornton, PA 19373

and

**K. MOORE**

Individually and in his official capacity as  
Correctional Officer  
500 Cheyney Rd  
Thornton, PA 19373

and

**G. BLEE**

Individually and in his official capacity as  
Correctional Officer  
500 Cheyney Rd  
Thornton, PA 19373

and

**MIKE MOORE**

Individually and in his official capacity as  
Classification Officer  
500 Cheyney Rd  
Thornton, PA 19373

and

**SERGEANT HAMRE**

Individually and in his official capacity as  
Sergeant  
500 Cheyney Rd  
Thornton, PA 19373

and

**SERGEANT SICOLLE**

Individually and in his official capacity as  
Sergeant  
500 Cheyney Rd  
Thornton, PA 19373

and

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**SERGEANT RICHBERT**

Individually and in his official capacity as  
Sergeant  
500 Cheyney Rd  
Thornton, PA 19373

and

**JESSAMINE HEALTHCARE, INC.**

1283 Murfreesboro Road, Suite 500  
Nashville, TN 37217

and

**JESSAMINE HEALTHCARE, INC.**

d/b/a  
**CORRECT CARE SOLUTIONS, LLC/**  
**WELLPATH, LLC**  
1283 Murfreesboro Road, Suite 500  
Nashville, TN 37217

and

**CORRECT CARE SOLUTIONS, LLC/**  
**WELLPATH, LLC**  
1283 Murfreesboro Road, Suite 500  
Nashville, TN 37217

and

**DR. NANCY (Last Name Currently  
Unknown)**

Individually and in her official capacity as  
Physician for  
JESSAMINE HEALTHCARE,  
INC./CORRECT CARE SOLUTIONS,  
LLC/  
WELLPATH, LLC  
1283 Murfreesboro Road, Suite 500  
Nashville, TN 37217

and

**NURSE HAITAN**

Individually and in his official capacity as  
Nurse for

---

JESSAMINE HEALTHCARE,  
INC./CORRECT CARE SOLUTIONS,  
LLC/  
WELLPATH, LLC  
1283 Murfreesboro Road, Suite 500  
Nashville, TN 37217

Defendants.

### NOTICE TO DEFEND

#### **NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Delaware County Bar Association  
335 W Front St

#### **AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas ex-puestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

USTED LE DEBE TOMAR ESTE PAPEL A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE A UN ABOGADO, VA A O TELEFONEA LA OFICINA EXPUSO ABAJO. ESTA OFICINA LO PUEDE PROPORCIONAR CON INFORMACION ACERCA DE EMPLEAR A UN ABOGADO.

SI USTED NO PUEDE PROPORCIONAR PARA EMPLEAR UN ABOGADO, ESTA OFICINA PUEDE SER CAPAZ DE PROPORCIONARLO CON INFORMACION ACERCA DE LAS AGENCIAS QUE PUEDEN OFRECER LOS SERVICIOS LEGALES A PERSONAS

Media, PA 19063 (610) 566-6625	ELEGIBLES EN UN HONORARIO REDUCIDO NI NINGUN HONORARIO.  Delaware County Bar Association 335 W Front St Media, PA 19063 (610) 566-6625
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Bala Cynwyd, PA 19004  
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Fax: 888-283-1334  
Attorney for Plaintiff

**ANTHONY PIERRE**  
Inmate No. 19009149  
500 Cheyney Rd  
Thornton, PA 19373

**DELAWARE COUNTY COURT OF  
COMMON PLEAS**

**Plaintiff**

No.

**DELAWARE COUNTY D/B/A  
GEORGE W. HILL  
CORRECTIONAL FACILITY  
500 Cheyney Rd  
Thornton, PA 19373**

**JURY TRIAL OF TWELVE (12)  
JURORS DEMANDED**

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Individually and in his official capacity as  
Nurse for

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INC./CORRECT CARE SOLUTIONS,	:
LLC/	:
WELLPATH, LLC	:
1283 Murfreesboro Road, Suite 500	:
Nashville, TN 37217	:
	:
	:
Defendants.	:

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**CIVIL ACTION COMPLAINT**

1. Plaintiff, Anthony Pierre, is an adult male, currently in custody at Delaware County d/b/a George W. Hill Correctional Facility, inmate number 19009149. At all times material, Plaintiff was incarcerated at George W. Hill Correctional.
2. Defendant, Delaware County d/b/a George W. Hill Correctional Facility (“George W. Hill”), is a prison that, at all times material herein, acted in its official capacity.
3. Defendant, Laura K. Williams (“Williams”), is an adult individual who, at all times material herein, acted individually as Warden at George W. Hill Correctional Facility.
4. Defendant, Dele Faly (“Faly”), is an adult individual who, at all times material herein, acted individually as Deputy Warden of Security at George W. Hill Correctional Facility.
5. Defendant, Lisa Mastroddi (“Mastroddi”), is an adult individual who, at all times material herein, acted individually as Deputy Warden of Operations and Administration at George W. Hill Correctional Facility.
6. Defendant, K. Moore (“Moore”), is an adult individual who, at all times material herein, acted individually as Correctional Officer at George W. Hill Correctional Facility.
7. Defendant, G. Blee (“Blee”), is an adult individual who, at all times material herein, acted individually as Correctional Officer at George W. Hill Correctional Facility.
8. Defendant, Mike Moore (“M. Moore”), is an adult individual who, at all times material

herein, acted individually as Classification Officer at George W. Hill Correctional Facility.

9. Defendant, Sergeant Hambre (“Hambre”), is an adult individual who, at all times material herein, acted individually as Sergeant at George W. Hill Correctional Facility.
10. Defendant, Sergeant Sicolle (“Sicolle”), is an adult individual who, at all times material herein, acted individually as Sergeant at George W. Hill Correctional Facility.
11. Defendant, Sergeant Richbert (“Richbert”), is an adult individual who, at all times material herein, acted individually as Sergeant at George W. Hill Correctional Facility.
12. Defendant Jessamine Healthcare Inc. d/b/a Wellpath LLC, formerly known as Correct Care Solutions, LLC, (collectively “Wellpath”) are Pennsylvania limited liability, for profit corporations doing business at all times pertinent to this Complaint, inter alia, at the above facility in Delaware County. At all times material to the allegations of this Complaint Wellpath, a vendor, contracted with the DOC for the provision of medical and health services, and was responsible for providing prison health services and appropriate and timely care and treatment to inmates, and generally protecting the medical welfare of inmates at various facilities in Pennsylvania, including at all the state correctional institutes, where plaintiff has been housed.
13. Defendant, Dr. Nancy, whose last name is currently unknown, is an adult individual who, at all times material herein, acted individually and in her official capacity as Physician for Wellpath at George W. Hill Correctional Facility.
14. Defendant, Nurse Haitan, whose first name is currently unknown, is an adult individual who, at all times material herein, acted individually and in his official capacity as Nurse for Wellpath at George W. Hill Correctional Facility.
15. Venue is proper in this Honorable Court as the events giving rise to this action occurred in

Delaware County.

**OPERATIVE FACTS**

15. The above paragraphs are incorporated herein by reference.
16. On or about March 22, 2022, Plaintiff was an inmate at George W. Hill Correctional Facility. Plaintiff was in solitary confinement and was informed by Defendant, Hambre, there was a credible hit on Plaintiff, and they wanted to move him to a safer location.
17. On or around March 24, 2022, Defendants, Moore and Sicolle, were assisting with the transfer of Plaintiff. Plaintiff was told by Defendant, Moore, that if he wanted to leave solitary confinement, he had to pick up food trays.
18. While Plaintiff started to pick up the food trays, Defendant, Moore, improperly opened two inmates' cells. As Plaintiff's back was turned to pick up the food trays, he was attacked by one of the inmates.
19. The inmate also threw water on Plaintiff which caused him to slip and fall during the physical altercation. Plaintiff's fall caused him to sustain injuries to his right knee and right leg.
20. It is standard procedure for every inmate to be handcuffed when they exit their cell in solitary confinement. Neither Plaintiff, nor the two inmates, were handcuffed at the time.
21. Upon information and belief, Defendants, Moore and Sicolle, knew or should have known about Plaintiff's credible hit and failed to properly protect Plaintiff.
22. Following the incident, Plaintiff went to medical for his injuries, but they told him he wasn't injured and sent him back to his cell.
23. The following day, Plaintiff woke up with intense swelling of his right knee and sharp pains to his right leg. Plaintiff also had extreme difficulty with standing and walking.

24. Plaintiff asked to be seen by medical, but Defendant, Richbert, refused.
25. On or about March 31, 2022, Plaintiff was eventually able to see Defendant, Dr. Nancy, who told Plaintiff that he had a swollen tendon. Defendant, Haitan, provided Motrin and informed Plaintiff that he would order X-Rays. To date, no X-Rays have been scheduled.
26. Plaintiff continues to suffer from his injuries that occurred on March 22, 2022. Plaintiff still suffers from tendon pain and is unable to exercise or play basketball.
27. Plaintiff has suffered and continues to suffer severe physical and emotional distress as a result of Defendants' conduct.

**COUNT I**  
**EIGHT AMENDMENT VIOLATION-FAILURE TO PROTECT/ CRUEL AND UNUSUAL PUNISHMENT**  
***Plaintiff v. All Defendants***

28. The above paragraphs are incorporated herein by reference.
29. Plaintiff incorporates by reference all prior paragraphs as if fully set forth at length herein.
30. Defendants failed to protect Plaintiff from being assaulted by a separate inmate.
31. Defendants' actions stated above, *inter alia*, were violations of Plaintiff's clearly established and well settled Constitutional and other legal rights.
32. Defendants caused Plaintiff to suffer cruel and unusual punishment in violation of the Eighth Amendment of the United States Constitution, actionable through 42 U.S.C. §1983, et seq.

WHEREFORE, Plaintiff demands judgment in their favor and against Defendant, individually, jointly and/or severally, in an amount in excess of fifty thousand dollars (\$50,000.00), including punitive damages, and further relief as this Honorable Court deems necessary and just, including attorney's fees and costs.

**COUNT II**  
**NEGLIGENCE**

*Plaintiff v. Defendants, Williams, Faly, Mastroddi,  
Moore, Blee, M. Moore, Hambre, Sicolle, Richbert*

33. Plaintiff incorporates by reference all prior paragraphs as if fully set forth at length herein.

34. At all times material, Defendants breached their duty of care to Plaintiff, acting negligently, recklessly, and carelessly, and in the following regards, respectively:

- a. Failing to properly provide a safe environment for all inmates;
- b. Failing to protect the well-being of inmates;
- c. Other conduct that deviated from the applicable standard of care.

35. As a direct and proximate result of Defendants' negligence, carelessness and recklessness, Plaintiff suffered actual loss.

WHEREFORE, Plaintiff demands judgment in their favor and against Defendants, individually, jointly and/or severally, in an amount in excess of fifty thousand dollars (\$50,000.00), including punitive damages, and further relief as this Honorable Court deems necessary and just, including attorney's fees and costs.

**COUNT III**  
**EIGHTH AMENDMENT VIOLATION-FAILURE TO PROVIDE MEDICAL CARE  
AND TREATMENT/CRUEL AND UNUSUAL PUNISHMENT**  
*Plaintiff v. All Defendants*

39. The above paragraphs are incorporated herein by reference.

40. Plaintiff incorporates by reference all prior paragraphs as if fully set forth at length herein.

41. Defendants showed deliberate indifference to Plaintiff's serious medical needs and wanton

infliction of pain.

42. Defendants' actions stated above, *inter alia*, were violations of Plaintiff's clearly established and well settled Constitutional and other legal rights.
43. Defendants caused Plaintiff to suffer cruel and unusual punishment in violation of the Eighth Amendment of the United States Constitution, actionable through 42 U.S.C. §1983, et seq.

WHEREFORE, Plaintiff demands judgment in their favor and against Defendants, individually, jointly and/or severally, in an amount in excess of fifty thousand dollars (\$50,000.00), including punitive damages, and further relief as this Honorable Court deems necessary and just, including attorney's fees and costs.

**COUNT IV**  
**NEGLIGENCE**  
*Plaintiff v. Defendants, Wellpath, Dr. Nancy, Haitan,*

44. Plaintiff incorporates by reference all prior paragraphs as if fully set forth at length herein.
45. At all times material, Defendants breached their duty of care to Plaintiff, acting negligently, recklessly, and carelessly, and in the following regards, respectively:
  - a. Failing to provide Plaintiff with proper medical care;
  - b. Failing to provide Plaintiff with the proper accommodations for his medical needs;
  - c. Other conduct that deviated from the applicable standard of care.
46. As a direct and proximate result of Defendants' negligence, carelessness and recklessness, Plaintiff suffered actual loss.

WHEREFORE, Plaintiff demands judgment in their favor and against Defendants, individually, jointly and/or severally, in an amount in excess of fifty thousand dollars (\$50,000.00), including punitive damages, and further relief as this Honorable Court deems necessary and just, including attorney's fees and costs.

Respectfully Submitted,

WEISBERG LAW  
/s/ David Berlin  
David Berlin, Esquire  
Matthew B. Weisberg, Esquire

SCHAFKOPF LAW  
/s/ Gary Schafkopf  
Gary Schafkopf, Esquire  
*Attorneys for Plaintiff*

DATED: June 16, 2022